SOUTHERN DISTRICT OF NEW YORK		
	X :	
JOHANNY DURAN,	:	
Plaintiff,	: 20-CV-5464 (JMF) (RWI	_)
-V-	: <u>ORDER</u>	
COMMISSIONER OF SOCIAL SECURITY,	: :	
Defendant.	: :	
	: X	

JESSE M. FURMAN, United States District Judge:

LIMITED CTATES DISTRICT COLIDT

By separate Order today, the Court is referring this case to the assigned Magistrate Judge for a report and recommendation on any motion for judgment on the pleadings. In accordance with this District's Standing Order governing challenges to denials of social security benefits (*see In re: Mots. J. Pleadings Social Sec. Cases*, 16-MC-0171), the following briefing schedule applies:

- Within 90 days of service, the Commissioner must serve and file the Electronic Certified Administrative Record (e-CAR), which will constitute the Commissioner's answer, or otherwise move against the complaint.
- If Plaintiff wishes to file a motion for judgment on the pleadings, Plaintiff must do so within 60 days of the date on which the e-CAR was filed. The motion must contain a full recitation of the relevant facts and a full description of the underlying administrative proceeding.
- The Commissioner must file an answering brief within 60 days of the filing of Plaintiff's motion.
- Plaintiff may file a reply within 21 days thereafter.

In addition, to conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further

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proceedings before the assigned Magistrate Judge.

If both parties consent to proceed before the Magistrate Judge, counsel for Defendant must, within two weeks of the date on which Defendant enters an appearance, either mail or email to Furman_NYSDChambers@nysd.uscourts.gov a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a copy of which is attached to this Order (and also available at http://nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge). If the Court approves that form, all further proceedings will then be conducted before the assigned Magistrate Judge rather than before the undersigned.

If either party does not consent to conducting all further proceedings before the assigned Magistrate Judge, the parties must file a joint letter, within two weeks of the date on which Defendant enters an appearance advising the Court that the parties do not consent, but without disclosing the identity of the party or parties who do not consent. There will be no adverse consequences if the parties do not consent to proceed before the Magistrate Judge.

SO ORDERED.

Dated: July 17, 2020

New York, New York

United States District Judge

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UNITED STATES DISTRICT COURT

for the

S	Southern District of New York	
Plaintiff V. Defendant)) (i) Civil Action No.))	
NOTICE, CONSENT, AND REFE	CRENCE OF A CIVIL ACTION TO A MAGISTI	RATE JUDGE
proceedings in this civil action (including a jury	<i>ility</i> . A United States magistrate judge of this court is or nonjury trial) and to order the entry of a final judge ourt of appeals like any other judgment of this court. Intarily consent.	nent. The judgment mag
	Terred to a magistrate judge, or you may withhold your arty withholding consent will not be revealed to any ju	
	pority. The following parties consent to have a United trial, the entry of final judgment, and all post-trial p	
Parties' printed names	Signatures of parties or attorneys	Dates
	Reference Order	
	rred to a United States magistrate judge to conduct a nce with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.	ll proceedings and
Date:	District Judge's signat	ure

Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States Note: magistrate judge. Do not return this form to a judge.

Printed name and title

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